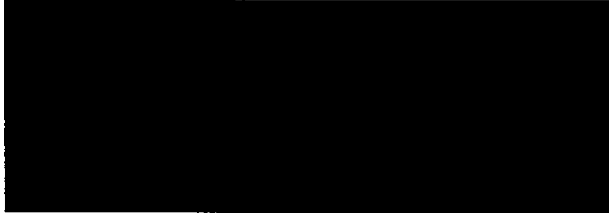
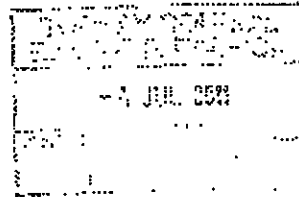


500 163630



Executive Head of Community Safety
Torbay Council
Roebuck House
Abbey Road
Torquay, TQ2 5LJ



30th June 2011

Dear Sir/Madam

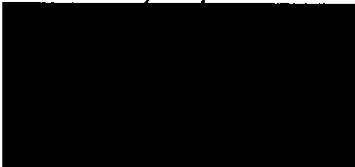
I wish to object to the proposed Licensing Application for the Below Decks Café Bar in the Harbour, as they only hold a restaurant license would customers have to order a meal and be sitting down to be able to obtain a drink.

I live as you can see in Beacon Terrace and when the Tanoy system are being used for the various boat race's I can hear them quite plainly in both my Living Room and Bedroom as these are situated in the front of the building.

I have secondary double glazing installed which is a great help but will not keep out the sound of Live Music being played, especially outside the café.

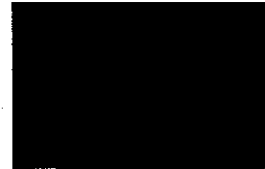
I also like to take a peaceful walk in the late evening as do many other people and I feel any late license would spoil what is a special place for both locals and tourist.

Yours sincerely,



SR0 103434

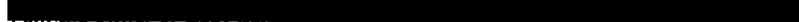
TORBAY COUNCIL			
EXECUTIVE DIVISION			
- 5 JUL 2011			
OFFICE	CLERK	PHONE	ROOM No



Executive Head of Community Safety
Torbay Council
Roebuck House
Abbey Road
Torquay
TQ2 5EJ

Variation to the premises license for "Below Decks", 4 Beacon Quay, Torquay, TQ1 2BG

Dear Sir

 As an 'interested party', this letter is my formal representation to the above application, made by Adele Farrell, Gayle Farrell and Michele Farrell.

My representation is made on the following two Licensing Objectives identified in the Current Licensing Act; Prevention of Public Nuisance and Public Safety of which I've detailed a number of key points.

Beacon Quay is a working harbour for both commercial and leisure activities, with a unique ambience and safety record to be proud of. Thousands of users, ranging from the very young (many youth clubs including the Torbay Youth Sailing Trust), families enjoying valuable leisure time, to professional racing (such as the recently successful Laser SB3 world championships).

Since the Torquay Harbour regeneration and the redevelopment of Beacon Quay, the past few years have been unique in terms of successful continuity with the small businesses based on the Quay. Below Decks historically was a Café and should remain as such. Introducing live and amplified music would change the environment completely and would be detrimental to the survival of the now well established business community. These varied businesses have experienced challenging financial times over recent years and the thought of disorder and drunkenness (which is an unfortunate fact of venues that participate in live or amplified music) on the Quayside would have irreversible financial consequences.

The Torbay Harbour Byelaws clearly states in Section 24 that "No wireless, amplifier, gramophone or loud hailer shall be operated, from a vessel or otherwise, within an enclosed harbour so as to give reasonable cause for annoyance to other users of the harbour".

Itemised below are the facts that relate to my objection to the application:

Prevention of Public Nuisance

A recent council report states "The harbour is recognised as a 'fantastic' natural environment which needs protection and is important to the Bay's appeal as a tourist destination." The ambience of the Quayside is unique and should remain. Granting this license would rescind on the authorities vision and Torquay Harbour Action Plan for the following reasons:

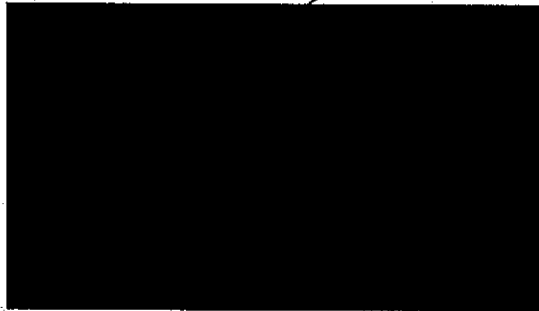
- Ambience of the quayside
- The layout of the premises and the detached seating area makes it impossible to contain the noise:

Public Safety

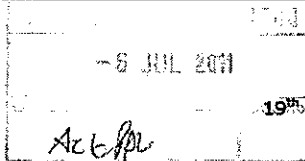
Public Safety is of paramount importance. Granting this license would seriously jeopardise public safety and questionably undermine all the hard work, initiated by Torbay Council, in trying to curtail the ever increasing drunkenness, disorder and alcohol related incidents. The reasons include:

- A combination of alcohol and live or amplified music is not conducive to proving a safe environment for the many users of the Quay.
- The over-stretched police force do not have the resource to police a remote venue such as Below Decks.
- The Harbour Authority are trained professionals in the marine industry and do not have the jurisdiction or expertise to manage an outdoor drinking and music venue.

It is clear that all of the above points would not only contravene the Licensing Objectives of the Licensing Act 2003, but also the Harbour bylaws and therefore I would suggest that Torbay Council have no option but to refuse the application.



SRD 163434



19th June, 2011.


Executive Head of Community Safety,
Torbay Council,
Roebuck House,
Abbey Road,
Torquay TQ2 5EJ

Dear Sirs,



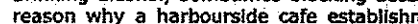





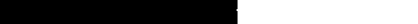
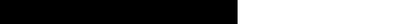
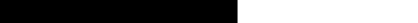
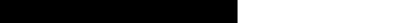
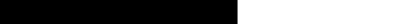

























Re: Below Decks, 4 Beacon Quay, Torquay TQ1 2BG
Applicants: Adele Farrell, Gayle Farrell, Michele Farrell

Further to the listed application to provide live and recorded music Mon-Sun 09.00 - 00.00, and to extend the sale of alcohol Mon-Sun 09.00 - 00.00 at the above premises. We would like to lodge our objection to both of these applications on the following grounds:

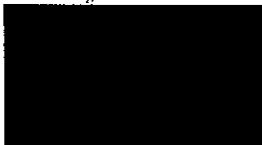
Music Licence:

 and have previous experience of live music being played from the cafe during the daytime. On those occasions it was impossible to conduct telephone calls or speak to our customers in the shop due to the noise of the music. The internal space of Below Decks is quite small, and their patio area is some distance from the cafe, therefore it is assumed that the volume will have to be set quite high in order for their customers on the patio area to hear it. We have a right to carry out our business in a quiet and peaceful environment, and would expect our neighbours not to infringe on our rights.

Extension of licensing hours:

Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us. Being located next door to Below Decks, we regularly have the inconvenience of  next door to us.  next door to us.

Yours faithfully





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Torbay Council
Roebuck House
Abbey Road
Torquay
TQ2 5EJ

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REFERENCE: APPLICATION FOR VARIATION OF LICENCE FOR BELOW DECKS CAFE, HARBOURSIDE, TORQUAY. TQJ 2BE

Dear Sirs,

Reference is made to the application by Below Decks Cafe, Harbour side, Torquay for a full "pub" licence.

[REDACTED] has various concerns over the application for a full "pub" licence and entertainment licence for Below Decks Cafe.

The creation of a full pub and entertainment venue on Beacon Quay is incongruous with the zone and will have a significant and possible serious detrimental impact on the ambience, safety and economy on the area.

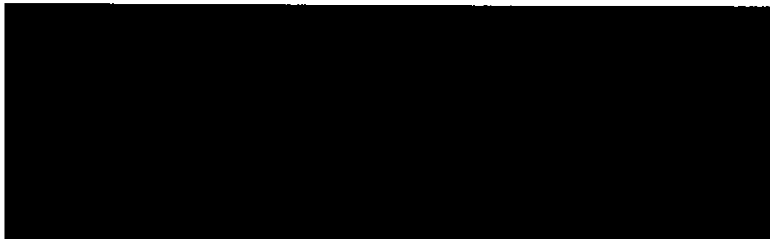
1. The area around Beacon Quay is the location of significant sailing events for all ages and is the centre for Junior groups such as scouts, junior sailors etc.
2. The atmosphere and street scene is of a maritime genre. The pub and club scene is located around the inner harbour and not Beacon Quay.
3. The attraction of the Harbour side for visiting yachtsmen is the tranquillity and a safe environment. This new facility is growing .
4. The quayside is the location for storage of a significant number of valuable sailing dinghies.

We are aware of the noise and disturbance caused recently when the venue concerned ran a one night special event. Yachtsmen alongside the Town Dock complained at the disturbance. There is obviously an issue of noise pollution.

The Council does not wish to be restrictive to appropriate enterprise in this area, but we feel the creation of an entertainment venue puts at risk the areas future.

1. Music late in to the night should not normally be allowed. At worst it should be occasional and limited until no later than 11.00pm.





2. Drinking, especially with glasses and bottles should not be allowed outside the premises, nor on the outside seating area. Broken glass could be a significant danger to children who use the area for sailing and water sport and often run around barefoot.
3. The area is generally safe. The incursion of significant drinking and partying on a regular daily basis could attract elements of the community that would make this a less safe area. There is significant value in dinghys and boats in the area and there is a fear that damage could be done by inebriated clients. (This used to happen in the days of Coral Island / Lasers Nightclub) that used to disgorge onto the Harbourside.
4. The original lease and licences for the area were restricted to achieve the development of Beacon Quay/pub restaurant to ensure it did not become a night zone.
5. if a licence is allowed we feel there must be adequate security (doormen) provided at the venue to ensure the control of people, drunkenness, noise, and security of the surrounding area including dinghies . Also a complete CCTV system should be installed and operated by the premises to cover the licensed areas both inside and outside. Noise monitoring equipment should be installed to monitor noise levels.
6. We feel the application raises the issue of public safety and public nuisance and would ask the Committee to seriously consider these issues in relation to a relatively quiet family area.



Figure 1